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09/432,498	11/02/1999	J. J. RICHARDSON		1125

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EXAMINER	
RAMAKRISHNAIAH, MELUR	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 05/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/432,498	J.J. Richardson et al.
Examiner	**Art Unit**
Melur. Ramakrishnaiah	2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Apr 19, 2002*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-62, 64-95, 97-105, and 107* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) *19-22, 50-56, 95, and 97-103* is/are allowed.

6) ☒ Claim(s) *1-18, 23-49, 57-62, 64-94, 104, 105, and 107* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)
16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
18) ☐ Interview Summary (PTO-413) Paper No(s). __ ____
19) ☐ Notice of Informal Patent Application (PTO-152)
20) ☐ Other:

NOTE: Final rejection on this application is withdrawn in order to address dependent claims 37 and 80 which were not addressed in earlier office actions.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-7, 9, 23-24, 36, 38, 41, 43-46, 57-58, 64-68, 69-70, 72-79, 81-82 and 107 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann et al. (US PAT: 5,173,866, hereinafter Neumann) in view of Davis et al. (US PAT: 5,784,441, hereinafter Davis) and Vazana (US PAT: 5,850,519)

Regarding claims 1, 72, and 107, Neumann discloses a sensing device for monitoring conditions at a remote location having a originating number comprising: detecting means (501, fig. 17) for detecting conditions at the remote location, a transmitting module in (501) having a first power source (not shown), the transmitting module further comprising: reading means for reading conditions at the remote location (10, fig. 17) and transmitting means in (501) for transmitting information regarding conditions at the remote location (col. 15 lines 12-27), a base module (112", fig. 18) having a preprogrammed telephone number that correspond to a condition at the remote location, the base module further comprising: receiving means (526, fig. 18) for

receiving the transmitted information to determine the preprogrammed number to call, first processing means (530, fig. 18) for selectively processing the transmitted information to determine the pre-programmed number to call, conveying means (132, fig. 18) for conveying the transmitted information by using the telephone line to call the preprogrammed number determined by the first processing means (col. 15 lines 28-59), identifying means in (110, fig. 1) for identifying the remote location of the call to the pre-programmed telephone number, whereby the conditions at the remote location are monitored by the identifying means (col. 5 lines 30-55).

Neumann differs from the claimed invention in that he does not teach a base module having a list of pre-programmed telephone numbers that correspond to each of the conditions at the remote location, and the first processing means determining which pre-programmed telephone number to call; and disconnecting means for disconnecting the call to the preprogrammed telephone number after a predetermined number of rings and before receiving means has answered the call, so that the conditions at the remote location are monitored by the identifying means without call being completed.

However, Davis discloses a systems for power interruption detection which teaches a base module (fig. 1) having a list of pre-programmed telephone numbers that correspond to each of the conditions at the remote location, and the first processing means determining which pre-programmed telephone number to call (col. 3 lines 18-25) and Vazana teaches the following: disconnecting means for disconnecting the call to the preprogrammed telephone number after a predetermined number of rings and before receiving means has answered the call, so that the

conditions at the remote location are monitored by the identifying means (54, fig. 2) without call being completed (fig. 2, col. 6 lines 13-19, col. 6 lines 33-42, col. 13 lines 33-43).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Neumann's system to provide for a base module having a list of pre-programmed telephone numbers that correspond to each of the conditions at the remote location, and the first processing means determining which pre-programmed telephone number to call as this arrangement would enable the central unit to determine different conditions at the remote site based on the telephone number used, thus enabling the operator at the central unit to take required action as taught by Davis and disconnecting means for disconnecting the call to the preprogrammed telephone number after a predetermined number of rings and before receiving means has answered the call, so that the conditions at the remote location are monitored by the identifying means without call being completed. as arrangement would facilitate notification of information at the remote location to the user without incurring any communication cost as suggested by Vazana.

Regarding claims 2-7, 9, 73-79, 81-82, Neumann further teaches the following: conditions at the remote location comprise conditions of a container at the remote location, waste disposal container (10, fig. 1), different levels of waste material in the waste disposal container, means for emptying (hauler) the waste disposal container, whereby emptying means is activated by identifying means in (110) to empty the waste disposal container, at least one person physically emptying the waste disposal container, routing at least one vehicle to the remote location to

empty the waste disposal container (col. 5 lines 30-55), power source (not shown) comprises the first power in (501, fig. 17) source having a power level, detecting by remote sensors using switch inputs (col. 2 lines 46-54), reading step and transmitting step occur in transmitting module in (501, fig. 18), first power source (not shown) for the transmitting module , the first power source having a power level (inherent) (col. 15 lines 23-27).

Regarding claims 23-24, Neumann teaches a second power source (not shown, but it is inherent as 112" in fig. 18 needs power source) for providing power to the base module, the second power source having a power level (fig. 18).

Regarding claims 36, 38, 43-46, Neumann teaches the following: transmitting means in (501, fig. 17) comprises an encoder, the receiving means (526, fig. 18)comprises a receiver and decoder, whereby the receiver means receives transmitted information from the transmitting means and relays the information to the decoder, the decoder in (526) conveys the transmitted information to the processing means (530, fig. 18) (col. 15 lines 12-59), detecting means (500, fig. 17) comprises: remote sensor, switch inputs (inherent), switch inputs convey high and low switch information to the transferring means in (500, fig. 17), and the transferring means convey the high and low switch information to the first microprocessor (col. 15 lines 22-45).

Regarding claims 57-58, Neumann teaches the following: telephone jack (not shown in fig. 18) allowing direct connection to the telephone line of the base module (see fig. 18), detecting means (inherent) when the telephone line is off-hook (see fig. 18).

Regarding claims 64-68, Neumann does not teach the following: disconnecting means comprises a modem, predetermined number of rings is four rings, identifying means comprises a second processing means and a caller ID unit, the caller ID unit being connected to the second processing means, processing means comprises a second microprocessor.

However, Davis teaches the following: means for disconnecting the call to the preprogrammed telephone number after a predetermined number of rings, whereby the disconnecting means prevents the call from incurring a telephone toll charge, disconnecting means comprises a modem, predetermined number of rings is four rings and Vazana teaches identifying means comprises a second processing means and a caller ID unit (reads on 82, fig. 1), the caller ID unit being connected to the second processing means (80, fig. 1), processing means comprises a second microprocessor (fig. 1, col. 6 lines 65-67, col. 7 lines 1-30).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Neumann to provide for means for disconnecting the call to the preprogrammed telephone number after a predetermined number of rings, whereby the disconnecting means prevents the call from incurring a telephone toll charge, disconnecting means comprises a modem, predetermined number of rings is four rings as this arrangement would facilitate to receive information from the remote station without incurring telephone charges as suggested by Davis., identifying means comprises a second processing means and a caller ID unit, the caller ID unit being connected to the second processing means, processing means comprises a

second microprocessor as this would enable the user to easily discern the calling party number using a caller ID unit as suggested by Vazana.

Regarding claims 69-70, Neumann teaches the following: base module (112", fig. 18) having a reporting means for reporting conditions at a close proximity to the base module, reporting means comprises hardware inputs in the base module (figs. 17-18, col. 15 lines 22-51).

3. Claims 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann in view of Davis and Vazana as applied to claim 38 above, and further in view of Fahie et al. (US PAT: 5,960,062, filed 9-17-1997, hereinafter Fahie).

Regarding claims 39-40, the combination does not show the following: an RF receiver and decoding IC.

However, Fahie discloses an emergency telephone number alerting device which teaches an RF receiver and decoding IC (col. 5 lines 35-63).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: an RF receiver and decoding IC as this arrangement would enable the system to transmit detection signals by wireless transmission system to the processing module without being limited by the wired connection.

4. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann in view of Davis and Vazana as applied to claim 36 above, and further in view of Tashiro et al. (JP 409233462A, hereinafter Tashiro).

Regarding claim 37, the combination does not teach the following: encoder that transmits data over an RF link.

However, Tashiro discloses remote monitoring device which teaches the following: encoder that transmits data over an RF link (fig. 1, see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: encoder that transmits data over an RF link as this arrangement would provide to transmit data signals by wireless transmission system to the processing module without being limited by the wired connection as taught by Tashiro.

5. Claims 8, 10-18, 25-32 and 83-91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann in view of Davis and Vazana as applied to claims 1 and 72 above, and further in view of Hayes, Jr. (US PAT:5,726,636, hereinafter Hayes).

Regarding claims 8-18 and 83-88, the combination does not teach the following: a battery supply , conserving means for conserving the power level of the battery, activating means for periodically activating the transmitting module, slow timing circuit, slow timing circuit comprising: counter having an oscillator, a one shot circuit, counter triggering the one shot circuit when a preselected count is reached, frequency of the oscillator controlled by an RC time constant, slow oscillator, preselected count is five hours, measuring means measuring the power level of the power source, reading means reads the power level of the first power source, transmitting means transmitting power level of the power source, encoding the power level of the

power source, the delaying step allowing all circuitry of the transmitting module to be powered up and stable, transmitting step occurs over an RF link.

However, Hayes discloses emergency telephone with automatic low battery signaling which teaches the following: a battery supply (col. 4 lines 36-55), conserving means for conserving the power level of the battery, activating means for periodically activating the transmitting module, slow timing circuit, slow timing circuit comprising: counter (202, fig. 2) having an oscillator (210, fig. 2), a one shot circuit, counter triggering the one shot circuit when a preselected count is reached (col. 4 lines 53-62), frequency of the oscillator controlled by an RC time constant, slow oscillator, preselected count is five hours, measuring means measuring the power level of the power source, reading means reads the power level of the first power source, transmitting means transmitting power level of the power source, encoding the power level of the power source, the delaying step allowing all circuitry of the transmitting module to be powered up and stable, transmitting step occurs over an RF link (col. 4 lines 54-67, col. 5 lines 1-20, col. 7 lines 1-23).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: a battery supply with a power level, conserving means for conserving the power level of the battery, activating means for periodically activating the transmitting module, slow timing circuit, slow timing circuit comprising: counter having an oscillator, a one shot circuit, counter triggering the one shot circuit when a preselected count is reached, frequency of the oscillator controlled by an RC time

constant, slow oscillator, preselected count is five hours, measuring means measuring the power level of the power source, reading means reads the power level of the first power source, transmitting means transmitting power level of the power source, encoding the power level of the power source, the delaying step allowing all circuitry of the transmitting module to be powered up and stable, transmitting step occurs over an RF link as this arrangement would enable conservation of battery energy as taught by Hayes.

Regarding claims 25-31, the combination does not show the following: identifying means monitoring the power levels of the first power source and the second power source, power source comprises a transformer having a 12V dc output, internal circuitry, the regulator, a full wave bridge, a power input jack, power input jack provides power to the full bridge circuit, 5V regulator, recharging means recharging the power source.

However, Hayes teaches the following: identifying means (120, fig. 2) monitoring the power levels of the first power source and the second power source (140), power source comprises a transformer (inherent) having a 12V dc output, internal circuitry, the regulator, a full wave bridge, a power input jack, power input jack provides power to the full bridge circuit, 5V regulator, recharging means recharging the power source (col. 4 lines 35-57).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: identifying means monitoring the power levels of the first power source and the second power source, power source comprises a transformer having a 12V dc output, internal circuitry, the regulator, a full wave bridge, a power

input jack, power input jack provides power to the full bridge circuit, 5V regulator, recharging means recharging the power source as this arrangement would promote monitoring of the battery for conserving the battery as taught by Hayes.

Regarding claim 32, Neumann does not teach list of preprogrammed numbers further correspond to the power levels of the first power source and the second power source.

However, Davis discloses a systems for power interruption detection which teaches a base module (fig. 1) having a list of pre-programmed telephone numbers that correspond to each of the conditions at the remote location, and the first processing means determining which pre-programmed telephone number to call (col. 3 lines 18-25).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Neumann modified by Hayes to provide for list of preprogrammed numbers that further correspond to the power levels of the first power source and the second power source as this arrangement would enable the central unit to monitor different conditions at the remote site by using different telephone numbers to use to indicate the conditions at the remote site as taught by Davis.

Regarding claims 89-91, Neumann teaches the following: receiving step, selectively processing step, the calling step and the conveying step all occur in the base module (112", fig. 18), receiving step further comprises the step of decoding the information received from the transmitting step, providing a second power source (not shown) to the base module, the second power source comprising a power level (inherent) (col. 15 lines 22-59).

6. Claims 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann in view of Davis, Vazana and Hayes as applied to claim 24 above, and further in view of Allport (US PAT: 6,021,177, filed 1-26-1996).

Regarding claims 33-35, the combination does not teach base module having: at least one first indicator, at least one second indicator allowing human operators to supervise the conditions processed by the processing means , first indicator being a lamp, second indicator being light emitting diode (LED).

However, Allport discloses alarm/notification device which teaches use of light indicators and LED's (B18, figs. 3-4) to allow users to supervise the conditions processed by the processing means (figs. 9-11, col. 5 lines 45-46, lines 64-67, col. 6 lines 1-10).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for base module having: at least one first indicator, at least one second indicator allowing human operators to supervise the conditions processed by the processing means , first indicator being a lamp, second indicator being light emitting diode (LED) as this would provide visual indications of the conditions processed by the processor, so that users can make sure that things are happening according to required procedure.

7. Claims 47-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann in view of Davis and Vazana as applied to claim 46 above, and further in view of Leighton et al. (US PAT: 5,012,507, hereinafter Leighton).

Regarding claims 47-49, the combination does not teach the following: transferring means comprises: an inverter, a trigger inverter and Schmidt inverter.

However, Leighton discloses telephone activated emergency light system which teaches the following: transferring means (16, figs. 2-3) comprises: an inverter, a trigger inverter and Schmidt inverter (A1 and A10) (col. 4 lines 15-27).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for transferring means that comprises: an inverter, a trigger inverter and Schmidt inverter as this arrangement would provide one of the ways among many available ways of processing control information.

8. Claims 59-62 and 104-105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann in view of Davis and Vazana as applied to claim 58 above, and further in view of Bella (US PAT: 6,144,735, filed 5-22-1998) and Sasso (US PAT: 5,490,210)

Regarding claims 59-62, and 104-105, the combination does not teach the following: half-hook detecting means comprises: a plurality of diodes being connected to the telephone lines, a plurality of discrete circuits for detecting the voltage changes, an opto-isolator IC, whereby positive voltage change telephone line is on-hook, and the negative voltage change represents that the telephone line is off-hook, diodes comprise four diodes in a full wave bridge configuration, discrete circuits to detect voltage changes and relaying information to the opto-isolator IC, light emitting diodes and photo transistor receiving voltage change information from the light emitting diode and relaying voltage change information to the processing circuit.

However, Bella discloses half-hook detecting means comprises: a plurality of diodes being connected to the telephone lines, a plurality of discrete circuits for detecting the voltage changes, an opto-isolator IC, whereby positive voltage change telephone line is on-hook, and the negative voltage change represents that the telephone line is off-hook, diodes comprise four diodes in a full wave bridge configuration, discrete circuits to detect voltage changes and relaying information to the opto-isolator IC, photo transistor receiving voltage change information from the light emitting diode and relaying voltage change information to the processing circuit (fig. 4 col. 6 lines 28-67, col. 7 lines 1-15) and Sassa teaches light emitting diodes to indicate status of various ports in the telephone interface (fig. 2 col. 5 lines 44-53).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for half-hook detecting means comprises: a plurality of diodes being connected to the telephone lines, a plurality of discrete circuits for detecting the voltage changes, an opto-isolator IC, whereby positive voltage change telephone line is on-hook, and the negative voltage change represents that the telephone line is off-hook, diodes comprise four diodes in a full wave bridge configuration, discrete circuits to detect voltage changes and relaying information to the opto-isolator IC, light emitting diodes and photo transistor receiving voltage change information from the light emitting diode and relaying voltage change information to the processing circuit as this arrangement would provide one of the arrangements among many available arrangements for determining telephone hook detection and status of telephone use.

9. Claims 42 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann in view of Davis and Vazana as applied to claim 1 above, and further in view of Pepper (US PAT: 4,402,095).

Regarding claims 42 and 71, the combination does not teach detecting means and reporting means that comprises at least one ultrasonic ranging unit, which uses microprocesser's internal timing functions to detect the conditions at the remote location.

However, Pepper discloses ultrasonic ranging unit which is used for controlling a process (figs 9 and 10, col. 2 lines 1-22, col. 4 lines 14-22).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for detecting means and reporting means that comprises at least one ultrasonic ranging unit, which uses microprocessor's internal timing functions to detect the conditions at the remote location as this would provide another alternative detection control mechanism among many alternatives available.

10. Claim 80 is rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann in view of Davis and Vazana as applied to claim 72 above, and further in view of Kamimura et al. (JP405288541A, hereinafter Kamimura).

Regarding claim 80, the combination does not teach the following: detecting step comprises using an ultrasonic ranging unit.

However, Kamimura discloses ultrasonic snow cover sensor which teaches the following: detecting step comprises using an ultrasonic ranging unit (1, fig. 1, see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: detecting step comprises using an ultrasonic ranging unit as this arrangement would provide another well known method of detecting and measuring required data as taught by Kamimura

11. Claims 92-94, are rejected under 35 U.S.C. 103(a) as being unpatentable over Neumann in view of Davis, Vazana and Hayes as applied to claim 91 above, and further in view of Burgis (US PAT: 4,953,109).

Regarding claims 92-93, the combination does not teach the following: reporting conditions at a closes proximity to the base module include the conditions of a container at the close proximity to the base module.

However, Burgis discloses automated trash compactor system that teaches the following: reporting conditions at a closes proximity to the base module include the conditions of a container at the close proximity to the base module (figs. 1-2, col. 3 lines 51-58).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for reporting conditions at a closes proximity to the base module include the conditions of a container at the close proximity to the base module as this would enable the local control of the trash management, thus providing an alternative to the remote management, and especially this arrangement is useful in case of communications problem with the remote site.

Regarding claim 94, the combination (Hayes) teaches reporting power level of the second source (see figs. 3A and 3B).

12. Claims 19-22, 50, 51-56, 95, 97-103 are allowed

Response to Arguments

1. Applicant's arguments regarding claims 37 and 80: regarding this applicant points out that these claims have never been treated in either the first Office Action , or in the Final Office Rejection. This might have happended due to oversight. Although Applicant had an opportunity to read the first Office Action and in his response point out that these claims have not been treated, he never did it. This office action includes the rejection of these claims.

2. Applicant's arguments regarding claims 95 and 99-103: this has happened by oversight. These claims are allowable as indicated in the office action dated 9-19-2001 and Office Action Summary (paper no 13).

Applicant's arguments regarding claims 63: Applicant's argument on this: "By the amendment of July 9, 2001, claim 63, ... substantially verbatim into claim 1" is inaccurate in as much as the incorporated claim 63 into amended claim 1 is not verbatim as can be seen from the comparison of the incorporated claim 63 into 1 and the original claim 63. Same remarks applies to applicant's argument regarding incorporating claim 106 into claim 72.

4. Applicant's arguments about the office action, on page 6 lines 1-15: Applicants's remarks, viz: "Clearly, this is not a case of ... before head-end answers the call". It is not clear from these remarks what the applicant's argument is. Nevertheless, Davis clearly teaches head end receiving

a call from a remote unit and exchanging protocol information like tones that is part of hanfshake between communication units for setting up and processing the call, after confirming identity of the remote unit call is disconnected (col. 3 lines 30-42) as required by the claims 64-68.

Regarding Applicant's arguments regarding Format of the rejections: Applicant's remarks on page 4-6 such as: "Nemmann et al. transmits analog data ... must come under suspect" is not persuasive in as much as nowadays telephone systems are capable of handling analog signals and digital signals and vice versa and they are equipped with to deal with differs kinds of data. So combination of references is relevant to reject the applicant's claims under 103. Therefore, rejection of claims is maintained.

Applicant's arguments re Specific claims: regarding rejection of claim 9 which recites a first power source having a power level. This claim should have been rejected using Neumann et al. reference as it clearly implies a first power source in the transmitting module (501, fig. 17) in stead of Hayes Jr reference which happened by oversight. Now claim 9 is rejected based on Neumann et al. This should resolve applicant's concern regarding the number of references used in the rejection.

Regarding applicant's arguments on claims 33-35: applicant argues that " It is noted that the examiner never tells us where he finds the first or the second power supply (physically recited in claims 9 and 23)". Although office action clearly points out first power source on page 2, fourth paragraph and second power source on page 5, first paragraph respectively of the office

action dated 9-19-2001, applicant does not seem to find it. Applicant is urged to refer to the office action as pointed above to find the power sources.

Applicant's arguments regarding claims 58-62: Bella teaches off-hook detection means which involve plurality of diodes, plurality of discrete circuits, an opto-isolator IC, etc recited in the claims 58-62 (fig. 4, col. 6 lines 28-67, col. 7 lines 1-15).

Regarding applicant's specific arguments re Prior Art: Applicant argues that "Clearly, the two units in Davis et al. connect to each other, and, as opposed to the recitations of former claims 63 and 106, now incorporated into claims 1 and 72 respectively, it is clearly recited that the connection is never completed, but rather that the information is passed by means other than the connecting the call between the units". Applicant's argument regarding this is not persuasive in as much as if connection is not completed how can they exchange information and moreover, the question of disconnection does not arise, if they are not connected. Similar to applicant's claim limitation, Davis et al. teaches remote unit and head end exchanging protocol information like tones in connection with handshake between the remote unit and head end, and once head identify the remote unit based on ANI, the remote unit is disconnected (col. 3 lines 36-42). Davis clearly teaches Applicant's claim limitation and rejection of claims is maintained. Applicant further argues on page 9, last paragraph, that "Thus, claims 1 and 72 clearly recite this non-connection ...assures that the data is transferred in as little time as possible". By this statement, Applicant clearly admits that the data is transferred. How can the data be transferred without connection establishment between two communication units, and further there is no need for disconnection of

the call if connection is not established. In fact Davis et al. clearly teaches that remote unit does not transmit any data during the whole process of communication between the remote unit and head end (col. 12 lines 30-34). So in view of this Davis et al. clearly teaches applicant's claim limitation and rejection of claims 1 and 72 is maintained.

Regarding Applicant's arguments on claims 66-68, Vazana discloses caller ID unit and limitations of claims 66-68, the rejection of these claims is changed based on Neumann in view of Davis and Vazana.

Applicant's arguments on the page 10, second and third paragraphs are not persuasive and rejection of claims in question is maintained as set forth in the office action above.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on Monday to Friday from 7 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

14. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Melur. Ramakrishnaiah

PATENT EXAMINER

Art Unit 2643.